

Applicant: Darrel L. Turner  
Application No.: 08/532,046  
Art Unit: 3501

*b3*  
*one*  
12.7 The process of Claim ~~8~~<sup>6</sup> wherein the blank is formed of a boron steel selected from the group consisting of 10B36, 10B37, 10B38, 10B39, 10B40, 10B41 and 10B42 steel.

13.9 The process of Claim ~~9~~<sup>8</sup>, wherein the working step comprises cold-forming the blank of boron steel.

14.10 The process of Claim ~~9~~<sup>8</sup> wherein the blank is formed of a boron steel selected from the group consisting of 10B36, 10B37, 10B38, 10B39, 10B40, 10B41 and 10B42 steel.--

#### REMARKS

Claims 3-5, and 7-14 remain pending in the application. In the Office Action dated December 6, 1996, Claims 9 and 10 were rejected as being dependent on rejected base claims, but were indicated as being allowable if rewritten in independent form. Claims 9 and 10 have been amended to be in independent form. Claims 3-8 were rejected over the disclosure of Trudeau. The courtesy extended to applicant and applicant's counsel by Examiner Melius in the interview conducted April 15, 1996, is acknowledged with appreciation.

In the office action, Claims 3-8 were rejected on the basis of a patent to Trudeau which discloses a concrete pile cutting device having two beveled hardened steel cutting blades. Turner discusses a Rockwell C hardness of between 40 to about 56. However, the Turner blade is not a rotary blade, but an anvil or guillotine type blade, and does not disclose the properties or performance of applicant's invention, and is not formed by applicant's claimed process. At the interview it was pointed out that the boron steel of the claimed invention, through a heat treating process is raised to a level of hardness and toughness which provides salutary performance as a rotary cutting blade.

Applicant: Darrel L. Turner  
Application No.: 08/532,046  
Art Unit: 3501

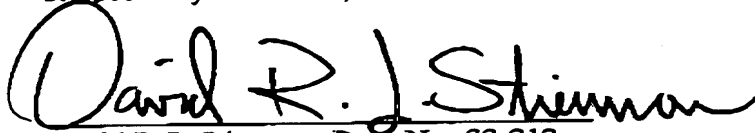
The Examiner indicated that consideration would be given to claims which noted the toughness levels achieved by the process and which incorporated the process limitations of Claims 6, 7, and 8.

Claim 3 has been amended to incorporate the limitations of Claim 6, and Claim 6 has been cancelled. Claims 7 and 8 have been rewritten in independent form and additional dependent claims 11-14 corresponding to the limitations of Claims 4 and 5 and dependent on Claims 7 and 8 have been added.

Applicant believes that no new matter has been added by this amendment.

Applicant submits that the claims, as amended, are in condition for allowance.  
Favorable action thereon is respectfully solicited.

Respectfully submitted,



David R.J. Stiennon, Reg. No. 33,212  
Attorney for Applicant  
Lathrop & Clark  
122 West Washington Avenue  
P.O. Box 1507  
Madison, Wisconsin 53701-1507  
(608) 257-7766

amdt.res

MAY - 6 1997

CF